

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: December 7, 2017

Agenda Item: Montana Department of Transportation Property Exchange for Bridge Replacement at the Varney Bridge Fishing Access Site (R3)

Division: Fisheries

Action Needed: Endorsement

Background:

The Montana Department of Transportation (MDT) has notified FWP that it intends to replace the Varney Bridge because “it’s functionally obsolete, the low deck and freezing conditions in the winter create ice issues at the FAS and its weight limit hinder emergency or larger vehicle passage.” Varney Bridge spans the Madison River approximately 8-miles south of Ennis and borders the Varney Bridge FAS on its northwest corner. The new bridge is to be constructed wider, longer, and higher. The wider bridge will have two lanes and is designed to accommodate safe pedestrian travel. The larger new bridge footings will necessitate MDT taking .05-acres of the FAS at the tip of the northwest corner of the site and convert it into bridge right-of-way. In addition, modern design standards require the new guardrails to extend past the existing FAS approach which will block vehicle access into it. To mitigate the loss of the existing approach and the .05-acres, MDT will purchase approximately 0.385-acres and create a new approach into the site. The new approach will be wider and have improved site distances making the access safer. It is also anticipated that the higher bridge will diminish icing issues at the FAS.

Public Involvement Process & Results:

MDT and FWA (Federal Highway Administration) are in the process of completing the National Environmental Policy Act (NEPA) categorical exclusion for the Varney Bridge replacement. Additionally, upon receiving the Commission’s approval, FWP will prepare and file an environmental assessment (EA) that will not be released for public comment. The Departments EA will refer to the MDT public processes.

Alternatives and Analysis:

Federal law requires MDT to consider all feasible and prudent alternatives. Through this process MDT must demonstrate that there is “no feasible and prudent avoidance alternative,” and additionally, “must minimize harm to the property.”

Agency Recommendation & Rationale:

FWP recommends that the Commission endorse efforts by the Department to convey approximately .05-acres to MDT for construction of a new bridge and in exchange accept approximately .385-acres that will provide a wider access road and improved site distances at the highway approach.

Proposed Motion:

I move the Fish and Wildlife Commission authorize the Department to pursue disposal of .05-acres of property at the Varney Bridge Fishing Access Site in exchange for .385-acres to accommodate the new bridge construction.